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*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re: ) BK-S-06-10725-LBR  
USA COMMERCIAL MORTGAGE COMPANY ) Chapter 11  
Debtor )

In re: ) BK-S-06-10726-LBR  
USA CAPITAL REALTY ADVISORS, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10727-LBR  
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, ) Chapter 11  
Debtor )

In re: ) BK-S-06-10728-LBR  
USA CAPITAL FIRST TRUST DEED FUND, LLC, ) Chapter 11  
Debtor. )

In re: ) BK-S-06-10729-LBR  
USA SECURITIES, LLC, ) Chapter 11  
Debtor. )

Affects )  
☐ All Debtors )  
☐ USA Commercial Mortgage Co. )  
☐ USA Securities, LLC ) DATE: September 28, 2007  
☐ USA Capital Realty Advisors, LLC ) TIME: 1:30 p.m.  
☐ USA Capital Diversified Trust Deed )  
☒ USA Capital First Trust Deed Fund, LLC )

**NOTICE OF ENTRY OF ORDER SUSTAINING OBJECTION OF USACM TRUST TO  
HARRISON FAMILY TRUST CLAIM FILED IN WRONG DEBTOR'S CASE;  
OBJECTION OF FTDF TO PROPOSED ALLOWANCE OF CLAIM**

1 PLEASE TAKE NOTICE that an Order Sustaining Objection of USACM Trust to  
2 Harrison Family Trust Claim Filed in Wrong Debtor's Case; Objection of FIDF to Proposed  
3 Allowance of Claim was entered on the 2<sup>nd</sup> day of October, 2007, a true and correct copy of  
4 which is attached hereto.

5 DATED this 9<sup>th</sup> day of October, 2007.

7 SHEA & CARLYON, LTD.

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9

10 CANDACE C. CARLYON  
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Entered on Docket  
October 02, 2007

A handwritten signature in black ink, appearing to read "L. B. Riegler".

Hon. Linda B. Riegler  
United States Bankruptcy Judge

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Counsel for the Official Committee Of  
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☒ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-  
10725 LBR

**Order Sustaining Objection of USACM Trust  
To Harrison Family Trust Claim Filed in  
Wrong Debtor's Case; Objection of FTDF to  
Proposed Allowance of Claim**

Hearing Date: September 28  
Hearing Time: 1:30 p.m.

1 The Court having considered the Objection of USACM Trust To Harrison Family Trust  
2 Claim Filed in Wrong Debtor's Case; Objection of FTDF to Proposed Allowance of Claim (the  
3 "Objection") [Docket No. 4434]; appearances having been noted on the record; adequate notice of  
4 the Objection having been given; there having been no response filed to the Objection; and for  
5 good cause appearing:  
6


7 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim No. 10725-  
8 2005 (the "Claim") is disallowed against the estates and in the cases of USACM and FTDF to the  
9 extent that the Claim is based upon the equity interest of the Harrison Family Trust ("Claimant")  
10 in FTDF.

11 IT IS FURTHER ORDERED that this Order shall not affect any portion of the Claim that  
12 is not attributable to the Claimant's equity interest in FTDF, nor any other claims filed by  
13 Claimant in these jointly-administered bankruptcy proceedings.  
14

15 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
16 of Claimant's equity interest in FTDF as reflected in FTDF's books and records, which interest is  
17 in the amount of \$25,000.


18 IT IS FURTHER ORDERED that nothing in this Order shall prejudice the rights of  
19 USACM to file further objections to the portion of the Claim that is not attributable to Claimant's  
20 equity interest in FTDF.  
21  
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23  
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26

1 SUBMITTED BY:

2   
3 SUSAN M. FREEMAN  
4 ROB CHARLES  
5 **LEWIS AND ROCA LLP**  
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6 *Counsel for USACM Liquidating Trust*


APPROVED BY:

  
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12 *Approved*  
13 REVIEWED:

14 OFFICE OF THE U.S. TRUSTEE

15   
16 AUGUST B. LANDIS, ESQ.  
17 SCOTT A. FARROW, ESQ.  
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